

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 16-CR-21

SAMY MOHAMMED HAMZEH,

Defendant.

United States' Response to Defendant's Motion to Modify Conditions of Release

The United States of America, by its attorneys, Matthew D. Krueger, United States Attorney for the Eastern District of Wisconsin, and Adam Ptashkin, Assistant United States Attorney, hereby responds to the Defendant's Motion to Modify Conditions of Release (R. Doc. 374). The United States opposed his previous efforts to modify his conditions of pretrial release, and vigorously opposes the current effort.

The defendant seeks to essentially have his conditions of pretrial release reduced to conditions that are comparable to those that are typically reserved for nonviolent, financial fraud defendants. However, before his arrest by the FBI the defendant planned to murder civilians in Israel, and then changed his plan to commit a mass murder at the Masonic Center in downtown Milwaukee. He then possessed two machine guns and a silencer (purchased unbeknownst to him at the time, from undercover FBI Special Agents) less than a week after touring the Masonic Center for operational planning. The defendant thus should not have his curfew removed as he has

requested,¹ and should not essentially be subject to the minimal conditions of pretrial release that typically apply to defendants in fraud cases. The defendant should remain under the conditions of pretrial release already in place in order to ensure the safety of the people of the Eastern District of the Wisconsin.

CONCLUSION

For the reasons set forth above, the Court should deny the defendant's request for modification of the conditions of the defendant's pretrial release.

Dated at Milwaukee, Wisconsin this 26th day of December, 2019.

Respectfully submitted,
MATTHEW D. KRUEGER
United States Attorney

By: /s/ Adam Ptashkin
Adam Ptashkin
Assistant United States Attorney
United States Attorney's Office
Eastern District of Wisconsin
517 East Wisconsin Avenue
Milwaukee, Wisconsin 53202
(414) 297-1700
adam.ptashkin@usdoj.gov

¹ Under 18 U.S.C. § 3142(c)(1)(B)(xiv) the Court may impose, in addition to the standard conditions of release, pretrial conditions of release that "satisfy any other condition that is reasonably necessary to assure the appearance of the person as required and to assure the safety of any other person and the community."